



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029**

Mr. Larry Lawson, Director  
Water Program Coordination  
Virginia Department of Environmental Quality  
629 Main Street  
Richmond, VA 23219

Dear Mr. Lawson:

The Environmental Protection Agency (EPA) Region III is pleased to approve the fecal coliform Total Maximum Daily Load (TMDL) for Moore's Creek. This TMDL was submitted for EPA review on April 29, 2002. The TMDL was established and submitted in accordance with Section 303(d)(1)(c) and (2) of the Clean Water Act to address an impairment of water quality as identified in Virginia's 1998, Section 303(d) list. Virginia identified Moore's Creek as impaired due to exceedances of the fecal coliform water quality standard.

In accordance with Federal regulations at 40 CFR §130.7, a TMDL must comply with the following requirements: (1) designed to attain and maintain the applicable water quality standards, (2) include a total allowable loading and as appropriate, wasteload allocations (WLAs) for point sources and load allocations for nonpoint sources, (3) consider the impacts of background pollutant contributions, (4) take critical stream conditions into account (the conditions when water quality is most likely to be violated), (5) consider seasonal variations, (6) include a margin of safety (which accounts for uncertainties in the relationship between pollutant loads and instream water quality), (7) consider reasonable assurance that the TMDL can be met, and (8) be subject to public participation. The enclosure to this letter describes how the TMDL for Moore's Creek satisfies each of these requirements.

Following the approval of this TMDL, Virginia shall incorporate the TMDL into the Water Quality Management Plan pursuant to 40 CFR § 130.7(d)(2). As you know, all new or revised National Pollutant Discharge Elimination System permits must be consistent with the TMDL WLA pursuant to 40 CFR §122.44 (d)(1)(vii)(B). Please submit all such permits to EPA for review as per EPA's letter dated October 1, 1998.



If you have any questions or comments concerning this letter, please don't hesitate to contact Mr. Thomas Henry at (215) 814-5752.

Sincerely,

Jon M. Capacasa, Acting Director  
Water Protection Division

Enclosure